

YUROK INDIAN HOUSING AUTHORITY



NATIVE AMERICAN PREFERENCE POLICY

Indian Preference

The Yurok Indian Housing Authority (**YIHA**) shall require that to the greatest extent feasible preference and opportunities for training and employment, award of contracts and subcontracts shall be given to Indians.

1. Preference and opportunities for training and employment shall be given to Indians:

“Indian” is defined to mean a person who is **an enrolled member of a Federally Recognized Tribe, any Alaska native village, regional or village corporation as defined and established pursuant to the Alaska Native Claims Settlement Act, which is recognized as eligible for the special programs and services.**

2. Preference and award of contracts and subcontracts shall be given to Indian organizations and Indian owned economic enterprises as defined below:

A. “Economic Enterprise” is defined as any Indian owned commercial, industrial, or business activity established or organized for the purpose of profit, except that Indian ownership must constitute not less than 51 percent of the enterprise.

B. “Indian Organization” is defined to mean the governing body of any Indian tribe or entity established or recognized by such governing body.

3. **All Indian owned economic enterprises and Indian organizations must be registered with the Yurok Tribe TERO office to receive Indian preference.**

X-Factor

In accordance with 24 CFR 905.175(c), award shall be made under unrestricted solicitations to the lowest responsive bid from a qualified Indian-owned economic enterprise within the maximum total contract price established for the specific project being solicited, if the bid is no more than "X" higher than the total bid price of the lowest responsive bid from any qualified bidder.

Complaints Regarding Indian Preference

YIHA shall not issue a notice to proceed until all complaints and appeals have been resolved.

The following procedures are applicable to complaints arising out of any of the methods of providing for Indian preference:

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1. The burden of proof shall be on the complainant to demonstrate a violation of the policy(ies) or procedure(s).
2. Each complaint shall be in writing, signed, **dated** and filed with the **YIHA**.
3. A complaint must be filed with the **YIHA** no later than **5 business** days from the date of the action (or omission) upon which the complaint is based.
4. Upon receipt of a complaint, the **YIHA** shall stamp the date and time of receipt upon the complaint.
5. Within **5 business** days of receipt of a complaint, the **YIHA Executive Director or their designee, shall review and respond to the complainant in writing.**
6. **If the complainant is not satisfied with the decision of the Executive Director, they may file a written appeal with the Board of Commissioners (BOC) within 5 business days of receipt of the Executive Director's written decision. The BOC shall review and respond to the appeal in writing within 3 business days. The decision of the YIHA BOC shall be final.**

C*E*R*T*I*F*I*C*A*T*I*O*N

This is to certify the Native American Preference Policy of the Yurok Indian Housing Authority was approved at a duly called meeting of the Board of Commissioners on March 1, 2011 at which a quorum was present, and was adopted by a vote of 6 For, 0 Against, 1 Abstentions, 0 not present.



Betty Brown, Chairperson
Yurok Indian Housing Authority Board of Commissioners

ATTEST:



Kerri Malloy, Secretary
Yurok Indian Housing Authority Board of Commissioners